

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA

FILED
DEC 16 2009

[Signature]
CLERK

CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

JEFFREY BETONE,

Defendant.

CR. 09-30011-RAL

REPORT AND RECOMMENDATION
FOR DISPOSITION OF DEFENDANT'S
MOTION TO SUPPRESS STATEMENTS

Defendant, Jeffrey Betone, has filed a Motion to Suppress Statements, Docket No. 47. Because Defendant's Motion is a dispositive one, this Court is only authorized to determine the same on a report and recommendation basis. See 28 U.S.C. §636(b)(1). Based on the findings, authorities and legal discussion made on the record at the December 15, 2009 hearing, the Court hereby

RECOMMENDS that Defendant's Motion be denied in all respects.

Dated this 16th day of December, 2009, at Pierre, South Dakota.

BY THE COURT:

[Signature: Mark A. Moreno]

MARK A. MORENO
UNITED STATES MAGISTRATE JUDGE

ATTEST:

JOSEPH HAAS, CLERK

BY: *[Signature: Joseph Haas]*
Deputy

(SEAL)

NOTICE

Failure to file written objections to the within and foregoing Report and Recommendations for Disposition within fourteen (14) days from the date of service shall bar an aggrieved party from attacking such Report and Recommendations before the assigned United States District Judge. See 28 U.S.C. § 636(b)(1).